

## NOTICE OF INTENT

Department of Environmental Quality  
Office of Solid and Hazardous Waste  
Solid Waste Division

Under the authority of the Louisiana Environmental Quality Act, La. R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, La. R.S. 49:950, et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Solid Waste Division regulations, LAC 33:VII.115 and 315 ( Log # SW025 ).

The Solid Waste Division proposes to incorporate the definition of Municipal Solid Waste Landfill or MSW Landfill found in 40 CFR part 60, subparts Cc and WWW into LAC 33:VII.115, as well as notifying Municipal Solid Waste (MSW) Landfill owners/operators of additional requirements needed to fulfill 40 CFR part 60, subparts Cc and WWW. This action is required to adjust the existing language in the Solid Waste Regulations in response to new standards promulgated by the U.S. EPA.

This proposed rule meets the exceptions listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

A public hearing will be held on July 25, 1997, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate please contact Patsy Deaville at the address given below or at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by SW025. Such comments must be received no later than August 1, 1997, at 4:30 p.m., and should be sent to Patsy Deaville, Investigations and Regulation Development Division, Post Office Box 82282, Baton Rouge, LA 70884 or to fax number (504) 765-0486. Copies of this proposed regulation can be purchased at the above referenced address. You may contact the Investigations and Regulation Development Division at (504) 765-0399 for pricing information. Check or money order is required in advance for each copy of SW025.

This proposed regulation is available for inspection at the following DEQ office locations from 8:00 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, 4th floor, Baton Rouge, LA 70810; 804 31st Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508. This regulation is also available on the Internet at <http://www.deq.state.la.us/olae/irdd/olaeregs.htm>.

H. M. Strong  
Assistant Secretary

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part VII. Solid Waste**  
**Subpart 1.Solid Waste Regulations**

**Chapter 1. General Provisions and Definitions**

**§115. Definitions**

For all purposes of these rules and regulations, the terms defined in this Section shall have the following meanings, unless the context of use clearly indicates otherwise.

\* \* \*

**[See Prior Text]**

*Municipal Solid Waste Landfill or MSW Landfill*— an entire disposal facility in a contiguous geographical space where residential solid waste or commercial solid waste is placed in or on land.

\* \* \*

**[See Prior Text]**

AUTHORITY NOTE: Promulgated in accordance with R.S.30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), LR 23

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part VII. Solid Waste**  
**Subpart 1. Solid Waste Regulations**

**Chapter 3. Scope and Mandatory Provisions of the Program**

**§315. Mandatory Provisions**

All persons conducting activities regulated under these regulations shall comply with the following provisions:

\* \* \*

**[See Prior Text in A-G.9]**

10. Municipal solid waste landfills that commenced construction, reconstruction, or modification or began accepting waste on or after May 30, 1991, are subject to 40 CFR part 60, subpart WWW - Standards of Performance for Municipal Solid Waste Landfills. Described landfills may be required to have an operating permit from the Air Quality Division of the department.

11. Municipal solid waste landfills that accepted waste on or after November 8, 1987, or for which construction, reconstruction, or modification was commenced before May 30, 1991, may be subject to 40 CFR part 60, subpart Cc - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. Described landfills may be required to have an operating permit from the Air Quality Division of the department.

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**[See Prior Text in H-R.2]**

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 19:1143 (September 1993), LR 19:1315 (October 1993), repromulgated LR 19:1421 (November 1993), amended LR 22:279 (April 1996), LR 23